

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/849,403	PETERSEN, CRAIG A.	
	Examiner Christopher J. Novosad	Art Unit 3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to \_\_\_\_\_.
2.  The allowed claim(s) is/are 1-14.
3.  The drawings filed on 20 May 2004 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1. <input type="checkbox"/> Notice of References Cited (PTO-892)	5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.
3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date <u>05/20/04</u>	7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment
4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
	9. <input type="checkbox"/> Other _____.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification:

In page 8, line 7, the recitation "consider" has been corrected to --considered-- to correct a grammar error.

In page 15, line 14, "26" has been corrected to --36-- in order to properly denote the "latch member".

In the claims:

In claim 12, line 10, the recitation "exerted" has been corrected to --exerting-- to correct a grammar error.

In claim 8, line 11, the recitation "said access opening" has been corrected to --an access opening--. Otherwise, the recitation "said access opening" in claim 8, line 11 would lack proper antecedent basis.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

Claim 1 has been allowed because none of the prior art of record either discloses or suggests the overall claimed combination of a pit lid assembly for an aircraft servicing

subsurface pit enclosure buried beneath the ground surface across which aircraft travel while on the ground, comprising a “pit latch assembly” mounted in a pit lid remote from a hinge leaf hinged to the pit lid support, which combination includes “*a latch mount with a passageway defined therein which is inclined downwardly away from*” (emphasis added) the upper lid surface of the pit lid and “*outwardly away from said hinge leaf*” (emphasis added), with a “latch member” disposed for longitudinal, reciprocal movement within said passageway and having a proximal end with a grip thereon accessible from said upper surface of said pit lid and an opposite, distal end, and a “biasing mechanism urging said distal end of said latch member away from said upper surface of said pit lid and away from said hinge leaf...said closed position,” as specifically recited in the claim.

Independent claim 8 has been allowed because the prior art of record fails either to disclose or suggest an aircraft servicing pit lid assembly for a subsurface aircraft servicing pit enclosure buried beneath a ground surface across which aircraft travel during docking and undocking, which includes “*a pit lid latch guide located on said pit lid remote from said hinge leaf and defining a latch passageway inclined downwardly relative to said pit lid away from said upper surface and away from said hinge leaf*” (emphasis added), with a “latch bolt disposed for reciprocal, linear movement and constrained by said latch passageway...seating ring,” and a “resilient spring urging said distal end of said latch bolt beneath said underside of said seating ring when said pit lid is closed” as specifically called for in the overall claimed combination.

Independent claim 12 has been allowed because the prior art of record fails either to disclose or suggest a latch assembly for an aircraft service pit, as recited in detail in the overall

Art Unit: 3671

claimed combination, which includes a "*latch mount defining a latch guide path inclined downwardly*" (emphasis added) from the flat upper surface of the pit lid and "*outwardly toward*" (emphasis added) the latching edge of the pit lid, with a "latch bolt reciprocally mounted for movement in said latch guide path...bearing ledge engaging end, and a spring exerting a biasing force on said latch bolt downwardly from said upper surface and outwardly from said latching edge to urge said bearing ledge-engaging end of said latch bolt into engagement beneath said bearing ledge."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Novosad whose telephone number is 703-308-2246. The examiner can normally be reached on Monday-Thursday 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached at 703-308-3870. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christopher J. Novosad  
Primary Examiner  
Art Unit 3671

October 18, 2004